## **S. 2**

To amend section 175b of title 18, United States Code, to correct a scrivener's error.

## IN THE SENATE OF THE UNITED STATES

**DECEMBER 3, 2018** 

Mr. Grassley (for himself, Mrs. Feinstein, Mr. Cornyn, and Ms. Klo-Buchar) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

## A BILL

To amend section 175b of title 18, United States Code, to correct a scrivener's error.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Effective Prosecution
- 5 of Possession of Biological Toxins and Agents Act of
- 6 2018".
- 7 SEC. 2. PROHIBITION ON THE POSSESSION OF BIOLOGICAL
- 8 TOXINS AND AGENTS.
- 9 Section 175b of title 18, United States Code, is
- 10 amended—

1	(1) in subsection (a)—
2	(A) by striking "(a)(1) No restricted" and
3	all that follows through the end of paragraph
4	(1) and inserting the following:
5	"(a) Offense.—
6	"(1) In general.—It shall be unlawful for a
7	restricted person to—
8	"(A) ship, transport, or possess in or af-
9	fecting interstate or foreign commerce any bio-
10	logical agent or toxin described in paragraph
11	(2); or
12	"(B) receive any biological agent or toxin
13	described in paragraph (2) that has been
14	shipped or transported in interstate or foreign
15	commerce.
16	"(2) Agents and toxins covered.—A bio-
17	logical agent or toxin described in this paragraph is
18	a biological agent or toxin that—
19	"(A) is listed as a non-overlap or overlap
20	select biological agent or toxin under part 73 of
21	title 42, Code of Federal Regulations, pursuant
22	to section 351A of the Public Health Service
23	Act (42 II S.C. 262a): and

1	"(B) is not excluded or exempted under
2	part 73 of title 42, Code of Federal Regula-
3	tions."; and
4	(B) by striking "(2) Whoever" and insert-
5	ing "(3) Penalty.—Whoever" and adjusting
6	the margin accordingly; and
7	(2) in subsection (d), in the matter preceding
8	paragraph (1), by inserting "Definitions.—" be-
9	fore "In this section:".

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